

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Nielsen, James T.; et. al.  
Assignee: Cardica, Inc.  
Title: Surgical Apparatus and Method for Anastomosis  
Serial No.: 10/750,712 Filing Date: December 31, 2003  
Examiner: Michael T. Andersen Group Art Unit: 3734  
Docket No.: 149

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with 37 CFR § 1.56, Assignee's attorney points out pending interference no. 105,246, declared March 14, 2006. This interference is between a parent, U.S. Pat. No. 6,391,038, of this patent application, and U.S. Patent Application Serial No. 10/243,543.

That interference may or may not be "material" pursuant to 37 CFR §1.56, and the identification of that interference shall not be construed as an admission that it is material or considered to be material (37 CFR § 1.97(h)). Further, the identification of that interference shall not be construed as an admission that any claims involved therein are patentably indistinct from any claims in the present application, or that the subject matter of the interference is in any way related to or similar to the subject matter of the present claims.

In compliance with the Applicant's duty under 37 CFR § 1.56, the information listed on the accompanying form PTO-1449 is brought to the attention of the Examiner.

Respectfully submitted,  
/Brian A. Schar/

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